

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Agenda
May 26, 2020 – 7:00 p.m.

1. CALL MEETING TO ORDER

Mayor Mary Jane Canose
Council Member John Donahue
Council Member Jeffrey Hammond
Council Member Jena McCredie
Council Member Chad McQueen
Council Member Thomas O'Dea
Council Member Christine Zamarra

2. STATEMENT OF PRESIDING OFFICER

Notice of this meeting was provided to the Bernardsville News, Courier News and the Star Ledger, filed with the Municipal Clerk and posted on the Municipal Bulletin Board on January 3, 2020.

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

None

5. APPROVAL OF MINUTES

April 27, 2020
May 4, 2020
May 11, 2020

Motion:
Second:
Voice Vote:

6. OPEN SESSION

At this point in the meeting, the Mayor & Council welcome comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers shall limit their comments to 3 minutes. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes.

7. **ORDINANCES** (Public Hearing)

Mayor to open public hearing on Ordinance #2020-1841, **AN ORDINANCE CONCERNING STREET EXCAVATIONS AND SUPPLEMENTING AND AMENDING CHAPTER 14 OF THE BOROUGH CODE ENTITLED "STREETS AND SIDEWALKS**

Mayor to close public hearing

I move to pass Ordinance #2020-1841 on final reading and adopt as published:

Second:

Roll call vote:

ORDINANCES (Introduction)

I move that Ordinance #2020-1842, **APPROPRIATING THE SUM OF \$125,780 FOR THE MILLING, PAVING & STRIPING OF MEEKER ROAD, MT. HARMONY ROAD & LAKEVIEW ROAD** be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, June 8, 2020.

Second:

Voice Vote:

8. **RESOLUTIONS**

#20-144 AUTHORIZING PAYMENT OF BILLS

#20-145 ACCEPTING MONTHLY REPORTS

- #20-146 RESOLUTION CANCELLING \$100,000 OF RETIREMENT TRUST FUND TO TRUST FUND BALANCE**
- #20-147 EXPANSION OF EXISTING SHARED MUNICIPAL COURT BY ADDING BERNARDS TOWNSHIP**
- #20-148 AUTHORIZING CHANGE ORDER #5 (FINAL) TO THE CONTRACT FOR SLOPE SECTION IMPROVEMENTS**
- #20-149 AUTHORIZING THE MAYOR TO SIGN TWO GRANT APPLICATIONS WITH NJDOT FOR CHESTNUT AVENUE (MILL AND PAVE) AND CRESTVIEW DRIVE (DRAINAGE, CURBING AND ROADWAY RECONSTRUCTION)**
- #20-150 ACKNOWLEDGING POSTPONEMENT OF THE WALKING PATH AT THE BOROUGH POND**
- #20-151 AUTHORIZING PERMISSION TO CRJ CONTRACTING TO USE THE BASKETBALL COURT PARKING LOT OFF SENEY DRIVE FOR A STAGING AREA FOR THE NJ AMERICAN WATER COMPANY MAIN REPLACEMENT PROJECT**
- #20-152 APPROVING EMERGENCY TEMPORARY APPROPRIATIONS**
- #20-153 A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE ACCEPTANCE OF BEQUESTS AND GIFTS AS REQUIRED BY N.J.S.A. 40A:4-39 FOR USE BY THE ENVIRONMENTAL COMMISSION**
- #20-154 SETTING POOL MEMBERSHIP FEES**

I move that Resolutions #20-144 to #20-154 be adopted
Second:
Roll call vote:

9. REPORTS

- 9A. Municipal Attorney
- 9B. Council Public Safety Committee
- 9C. Council Finance Committee

9D. Council Personnel Committee

9E. Council Engineering, Technology & Public Works Committee

9F. Land Use Committee

9G. Other committee/commission reports

9G1. Housing/Zoning report from Zoning Officer & Zoning Enf. Officer

9G2. Council Liaison Reports

10. ITEMS OF BUSINESS

10A. Draft v1.01 Resolution Holding Enforcement of Certain Borough Ordinances in Abeyance in Order to Assist Local Businesses as They Reopen Following the Lifting of COVID-19 Executive Orders (also related request from The Coffee Shop)

10B. NJ American Water Rate Increase, Plan to Participate With Rate Intervention

10C. Boxcar Request for a Drive-In Theater

10D. Complete Streets

10E. Mayor's Update

10F. Correspondence

10G. Unfinished Business

10H. New Business

11. OPEN SESSION

12. CLOSED SESSION

Council Member _____ moves, to adjourn to an executive session to consider:

Personnel Matters

(Collective Bargaining, Contract negotiations, Personnel Matters, Pending or Anticipated Litigation, Property Acquisition, Attorney/Client Privilege), and that the time when and circumstances under which the matter can be disclosed to the public is when it (they) are finally resolved.

Seconded:

Vote:

13. **REOPEN AND ADJOURNMENT**

052620ag

**BOROUGH OF BERNARDSVILLE
ORDINANCE NO. #2020-1841**

**AN ORDINANCE CONCERNING STREET EXCAVATIONS AND
SUPPLEMENTING AND AMENDING CHAPTER 14 OF THE BOROUGH
CODE ENTITLED "STREETS AND SIDEWALKS"**

STATEMENT OF PURPOSE: *To update the procedures for obtaining a road opening permit, to establish a five year moratorium on excavating streets after they are repaved, and to establish a fee schedule by repealing subsection 14-1.6 of the Borough Code entitled, "Excavations in Streets and Sidewalks; Permit Required" and replacing it with a new section 14-3 entitled "Street Openings and Excavations."*

WHEREAS, the procedures set forth in subsection 14-1.6 of the Borough Code entitled, "Excavations in Streets and Sidewalks; Permit Required" are outdated and inconsistent with current Borough practices; and

WHEREAS, the governing body wishes to formalize the moratorium on street openings for a period of five years after a street is repaved;

NOW, THEREFORE, BE IT ORDAINED by the Council of The Borough of Bernardsville, In the County of Somerset, State Of New Jersey, that Section 14 of the Borough Code entitled, "Streets and Sidewalks" is hereby supplemented and amended as follows:
Section 1. Subsection 14-1.6, entitled "Excavations in Streets and Sidewalks; Permit Required" is hereby repealed in its entirety.

~~§ 14 1.6. **Excavations in Streets and Sidewalks; Permit Required.**~~

~~No person shall tear up or excavate any street or sidewalk, nor use for building or construction or other extraordinary purposes any street or sidewalk maintained by the Borough for any purpose without first obtaining a written permit from the Borough Clerk. The permit shall state the location and purpose of the excavation, and that it is granted on condition that the person to whom it is issued shall designate the Borough as its agent to fill in the excavation and restore the road surface to the condition in which it was prior to such tearing up or excavation and on further condition that such person shall undertake and agree to pay to the Borough the reasonable cost of such fill and restoration,~~

~~depositing with the Borough Clerk the estimated cost as determined by the Road Supervisor prior to the issuance of the permit. In the event that such deposit shall exceed the reasonable cost of the work, the balance shall be returned to the licensee who shall agree if the reasonable cost of the work shall exceed the deposit, to pay to the Borough any excess in cost over the deposit, and whenever any permit shall issue to any person for the opening or excavation of any street, it shall be his duty to properly guard and light the same and to save harmless the Borough Council from prosecution by indictment or otherwise for negligence in connection with such excavation or the guarding thereof, and to save harmless the Borough from all liabilities or damages and costs by reason of such negligence.~~

Section 2. There is hereby created a new Section 14-3, entitled "Street Openings and Excavations", which reads as follows:

"14-3 STREET OPENINGS AND EXCAVATIONS.

14-3.1 Permit Required.

It shall be unlawful for any person to tunnel under or to make any opening or excavation in any street or other public place in the Borough, other than a County road over which the County of Somerset has exclusive jurisdiction, or State Highway 202, over which the State of New Jersey has exclusive jurisdiction without having obtained a permit as is herein required or without complying with the provisions of this section or in violation of or variance from the terms of any such permit. No permit shall be issued to open any Borough road for five (5) years after the road was paved, except pursuant to subsection 14-3.6 hereinbelow.

14-3.2 Applications.

a. Applications for such permits shall be made to the Borough Clerk and shall describe the location of the intended opening, excavation or tunnel, the size thereof, the purpose therefor and the person doing the actual excavation work and the name of the person for whom or which the work is being done and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done.

b. Any person desiring a permit for the opening of a street or tunneling therein shall make application to the Borough Clerk setting forth the following information:

1. Name and address of applicant.

2. Name of the street where the opening is to be made and the street number, if any, of the abutting property.
3. Nature of the surface in which the opening is to be made.
4. Character and purpose of the work proposed.
5. Plan showing the exact location and dimension of all openings.
6. The name and address of the workmen or contractor who is to perform the work, if different from the applicant.
7. A statement that the applicant agrees to replace, at his own cost and expense, in accordance with Borough specifications and details, the opening to the same state and condition as it was at the time of the commencement of the work and further agrees to comply with all other regulations and laws relative to the work.
8. Such other information as the Borough Clerk may consider pertinent.

14-3.3 Fee.

The fee for a road opening permit shall be set by the Borough Council by resolution.

14-3.4 Indemnity Bond.

a. Before issuance of any such permit, the applicant or contractor proposing to do the actual excavating work shall file with the Borough Clerk a cash bond in the amount of one thousand five hundred (\$1,500) dollars. This cash bond shall serve as both a performance bond to guarantee completion of the work and also as a maintenance bond for a period of twelve (12) months to guarantee that the excavated area does not settle or otherwise deteriorate. If the responsible person does not complete the excavation and restore the surface in accordance with requirements of this section or if the responsible person does not restore the surface and make any necessary repairs resulting from the settling or any other deterioration within a reasonable time after receipt of notice of settling from the Borough, then the Borough may perform the necessary work itself and deduct the cost of such work from the posted bond. At the end of twelve (12) months the Director of Public Works shall inspect the area of the excavation to determine whether it has been restored in

compliance with the requirements of this section. The Public Works Manager shall then submit a written report to the Borough Council recommending that the bond be returned in whole or part or in the alternative that the Borough should perform additional repairs and charge the cost of those repairs against the bond. The Borough Council shall then act upon recommendation of the Public Works Manager and return any unused portion of the bond to the responsible person.

b. In addition, the applicant or the contractor proposing to do the actual excavating work shall file with the Borough Clerk a certificate of insurance showing that the applicant or the contractor proposing to do the actual excavating work has general liability insurance with combined policy limits of one million (\$1,000,000.00) dollars.

c. The provisions of paragraph a. of this subsection shall not apply to public utilities.

14-3.5 Manner of Excavating.

a. It shall be unlawful to make any such excavation, opening or tunnel in any way contrary to or at variance with the terms of the permit therefor. Proper bracing shall be maintained to prevent the collapse of adjoining ground, and, in excavations, the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface.

b. No injury shall be done to any pipes, cables or conduits in the making of such openings, excavations or tunnels, and notice shall be given to the persons maintaining any such pipes, cables or conduits (or to the Borough Road Department or officer charged with the care thereof) which are or may be endangered or affected by the making of any such opening, excavation or tunnel before such pipes, cables or conduits shall be disturbed.

c. No unnecessary damage or injury shall be done to any tree or shrub or the roots thereof.

d. All openings, excavations or tunnels shall be guarded with adequate safety measures as may be necessary and with adequate warning devices. The safety measures and warning devices shall be placed in such a manner as to not unduly restrict traffic. Where the Police Department determines that such safety measures and warning devices are not adequate for the free movement of traffic during road construction and/or excavation, a Police Officer may be assigned to direct traffic in the area involved during working hours, and the cost thereof shall be charged by the Borough to the contractor or other person obtaining the permit. The provisions of this subsection shall not affect or relieve the contractor or any other person from any other obligations imposed by the contract or by operation of law.

e. All refuse and material shall be removed within forty-eight (48) hours.

f. All excavation shall be completely backfilled and compacted using bank run gravel, crushed stone or other approved material.

g. If tunneling operations are required, the tunnel shall be backfilled with rammed sand or sand and concrete mixed ten to one (10:1), respectively.

h. If blasting is required in the course of any excavation, it shall be done in strict compliance with all applicable state laws and regulations and municipal ordinances.

i. Under normal, nonemergency situations, street paving, whether new or improved, will carry a minimum no-cut period of five (5) years.

14-3.6. Moratorium

There shall be a five (5) year moratorium on the issuance of road opening permits for newly paved streets. Exceptions shall be granted for utility emergencies or road openings that impact the safety and welfare of property owners (e.g. electric service to new home). Any emergency work or undue hardship shall be approved by the Borough Council.

1. In the event that exception is granted during the moratorium period, the applicant shall be responsible for limiting the area of disturbance, saw cut all excavations and restore the trench to its original condition, including but not limited to the pavement, surface treatments and striping. Restoration of the top course of asphalt shall be done utilizing the infrared pavement method.

2. The Borough Public Works Manager or his/her designee may require a larger area of the roadway to be restored to avoid trench marks across the roadway. This will be done in a manner that creates a rectangular patch across the entire width of the roadway.

3. A nonrefundable exemption fee to be deposited in a dedicated account for road repairs shall be paid in accordance with the following schedule:

<u>Opening 0-1 year before expiration of moratorium</u>	<u>\$500.00</u>
<u>Opening 1-2 years before expiration of moratorium</u>	<u>\$1,000.00</u>
<u>Opening 2-3 years before expiration of moratorium</u>	<u>\$1,500.00</u>
<u>Opening 3-4 years before expiration of moratorium</u>	<u>\$2,000.00</u>
<u>Opening 4-5 years before expiration of moratorium</u>	<u>\$2,500.00"</u>

Section 3. Any or all other ordinances or parts thereof in conflict or inconsistent with

any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 4. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. This ordinance shall become effective immediately upon final passage and publication as required by law.

ATTEST:

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

Introduction:

1st Publication:

Public Hearing and Adoption:

2nd Publication:

**BOROUGH OF BERNARDSVILLE
ORDINANCE #2020-1842**

**APPROPRIATING THE SUM OF \$125,780 FOR THE
MILLING, PAVING & STRIPING OF
MEEKER ROAD, MT. HARMONY ROAD & LAKEVIEW ROAD**

WHEREAS, per Borough of Bernardsville Resolution #20-105, adopted on March 23, 2020, the Borough of Bernardsville has received funding in the amount of \$125,780 from New Jersey American Water for the Milling, Paving & Striping of Meeker Road, Mt. Harmony Road & Lakeview Drive;

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Bernardsville, County of Somerset, New Jersey, as follows:

Section 1. The total sum of \$125,780, as received by New Jersey American Water, is hereby appropriated for the milling, paving, and striping, and all other associated costs, for the repair of Meeker Road, Mt. Harmony Road and Lakeview Drive.

Section 2. This ordinance shall take effect immediately upon final passage and publication as required by law.

Attest

**BOROUGH OF BERNARDSVILLE
IN THE COUNTY OF SOMERSET**

Borough Clerk

Mayor

Introduced:
Published:
Adopted:
Published:

RESOLUTION 20-144

AUTHORIZING PAYMENT OF BILLS

RESOLVED, that the list of bills, copies attached hereto,
are hereby approved for payment.

01 State & Federal Grants	\$	1,792.24
04 Escrow	\$	1,884.88
06 Outside Employment	\$	30,250.00
10 Current Fund	\$	4,617,940.72
19 Other Trusts	\$	7,954.25
20 Payroll	\$	240,330.93
33 Capital Fund	\$	3,831.05
40 Sewer Utility Fund	\$	34,439.69
55 Sewer Capital	\$	15,497.00
70 COAH Trust	\$	1,097.90
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	-
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust	\$	1,329.62
TOTAL	\$	4,956,348.28

I, Anthony J. Suriano, Borough Clerk of the Borough of Bernardsville, hereby
certify the forgoing to be a true and exact copy of a resolution adopted by
the Borough Council at a duly convened meeting held on May 26, 2020.

**List of Bills - (0110101002000) CASH - MILLINGTON - STATE & FEDERAL
STATE & FEDERAL GRANTS**

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
2221	6828 - ECO PROMOTIONAL PRODUCTS, INC	PO 105878 Recycled Foldaway Bags - 100 % Recycled		1,287.24	
	01-G19-0110-0361	CLEAN COMMUNITIES (2019) - CHAPTER 159	1,287.24		1,287.24
2222	5864 - REILLY SWEEPING, INC	PO 105142 Downtown Street Sweeping - 2020		505.00	
	01-G19-0110-0361	CLEAN COMMUNITIES (2019) - CHAPTER 159	505.00		505.00
TOTAL					----- 1,792.24
Total to be paid from Fund 01 STATE & FEDERAL GRANTS			1,792.24		
			=====		
			1,792.24		

List of Bills - (0410101001000) CASH - MILLINGTON - ESCROW ESCROW

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
2210	6386 - BURGIS ASSOCIATES, INC	PO 105957 BOA Planner contract & application servi		507.50	
	04-280-4008-0103	DISBURSEMENTS - BOA - #17-02A - NGC - B6	507.50		507.50
2211	1307 - FERRIERO ENGINEERING, INC	PO 105953 4/28/20 Inspect drywells/leader drains.		78.50	
	04-280-7007-0103	DISBURSEMENTS - SCANDIC BUILDERS - STORM	78.50		
		PO 105954 4/20/20 Email from property owner on O&M		70.00	
	04-280-7000-0025	ESCROW - GRILLO B123 L15	70.00		
		PO 105956 4/8/20 Final inspection.		120.75	
	04-280-7000-0054	ESCROW-PRESTIFILIPPO	120.75		
		PO 105958 4/28/20 Inspect drywells/leader drains.		98.13	
	04-280-7006-0103	DISBURSEMENTS - CIPRIANO - STORMWATER ES	98.13		
		PO 105960 BOA Engineer contract & application serv		280.00	
	04-280-4008-0103	DISBURSEMENTS - BOA - #17-02A - NGC - B6	280.00		
		PO 105962 4/17/20 Review file; and prep plans and		70.00	
	04-280-7012-0103	DISBURSEMENTS - DECRISTOFARO - STORMWATE	70.00		717.38
2212	5805 - LOUIS P. RAGO, ESQ	PO 105959 BOA Attorney contract & application serv		660.00	
	04-280-4008-0103	DISBURSEMENTS - BOA - #17-02A - NGC - B6	660.00		660.00
TOTAL					1,884.88
Total to be paid from Fund 04 ESCROW		1,884.88	=====		
		1,884.88			

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Boro of Bernardsville

Disbursements Journal - (06) OUTSIDE EMPLOYMT OFF DUTY-M

From 05/15/2020 to 05/20/2020

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
5/15/2020	1599		6169		PAYROLL ACCOUNT		30,250.00	06-101-0100-2000
				06-285-0600-1038	VOLLERS	4,150.00		
				06-285-0600-1017	CRJ	24,400.00		
				06-285-0600-1081	FLETCHER CREAMER	600.00		
				06-285-0600-1006	AMERICAN WATER	1,100.00		

MAY SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
06-101-0100-2000	CASH - MILLINGTON BANK - POLICE O/S DUTY				30,250.00
06-285-0600-1006	AMERICAN WATER/MEASURING		1,100.00		
06-285-0600-1017	CRJ CONST. CO.		24,400.00		
06-285-0600-1038	VOLLERS		4,150.00		
06-285-0600-1081	2018 FLETCHER CREAMER		600.00		
MAY TOTALS (FOR RANGE):					30,250.00 30,250.00
					=====

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
06-101-0100-2000	CASH - MILLINGTON BANK - POLICE O/S DUTY				30,250.00
06-285-0600-1006	AMERICAN WATER/MEASURING		1,100.00		
06-285-0600-1017	CRJ CONST. CO.		24,400.00		
06-285-0600-1038	VOLLERS		4,150.00		
06-285-0600-1081	2018 FLETCHER CREAMER		600.00		
TOTALS (FOR RANGE):					30,250.00 30,250.00
					=====

List of Bills - (1910101001000) CASH - OTHER TRUSTS **OTHER TRUSTS**

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
219	6303 - SYNCB/AMAZON	PO 105760 DIGITAL NO-CONTACT THERMOMETER		149.94	
	19-285-0500-8002	STORM RECOVERY TRUST - COVID-19	149.94		149.94
220	3488 - VERIZON	PO 105946 INTERNET SERVICE AT TRAIN STATION ACC 75		151.99	
	19-285-0500-5001	RESERVE FOR RAILROAD STATION	151.99		151.99
TOTAL					301.93
Total to be paid from Fund 19 OTHER TRUSTS		301.93			
		=====			
		301.93			

Checks Previously Disbursed

19096	PAYROLL ACCOUNT	PAYROLL - ACCUMULATED ABSENCES - R	7,472.07	5/15/2020
19095	PAYROLL ACCOUNT	PAYROLL - RAILROAD - 5/15/20	180.25	5/15/2020

			7,652.32	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 19 OTHER TRUSTS	7,652.32	301.93	7,954.25
BILLS LIST TOTALS	7,652.32	301.93	7,954.25
			=====

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Boro of Bernardsville

Disbursements Journal - (20) PAYROLL AGENCY

From 05/15/2020 to 05/31/2020

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
5/15/2020	1600		20595		ACTION DATA SERVICES-PAYROLL		175,274.12	20-101-0100-2000
				20-280-5600-0900	PAYROLL DIRECT DEPOSIT	175,274.12		
5/15/2020	1601		20596		ACTION DATA SERVICES-PAYROLL		65,056.81	20-101-0100-2000
				20-280-5600-0852	FEDERAL	28,229.34		
				20-280-5600-0853	FICA SS EE	8,204.50		
				20-280-5600-0854	MEDICARE EE	3,250.71		
				20-280-5600-0855	NJ STATE TAX	8,504.63		
				20-280-5600-0856	EMPLOYEE SUI/SDI	551.16		
				20-280-5600-0858	PA STATE TAX	19.19		
				20-280-5600-0870	PERS	45.06		
				20-280-5600-0874	PERS CONTRIBUTORY INSURANCE	3.00		
				20-280-5600-0890	DEFERRED COMP	3,186.86		
				20-280-5600-0898	GARNISHMENTS	548.77		
				20-280-5600-0901	EMPLOYER SS	8,204.50		
				20-280-5600-0902	MED EMPLOYER	3,250.71		
				20-280-5600-0903	EMPLOYER SUI	778.05		
				20-280-5600-0882	DCRP EE CONTRIBUTION - 5%	161.45		
				20-280-5600-0883	DCRP EMPLOYER CONTRIBUTION - 3%	118.88		

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-101-0100-2000	CASH - MILLINGTON - PAYROLL				240,330.93
20-280-5600-0852	PAYROLL TAXES PAYABLE - FEDERAL		28,229.34		
20-280-5600-0853	PAYROLL TAXES PAYABLE - FICA		8,204.50		
20-280-5600-0854	PAYROLL TAXES PAYABLE - MEDICARE		3,250.71		
20-280-5600-0855	PAYROLL TAXES PAYABLE - NJ STATE TAX		8,504.63		
20-280-5600-0856	PAYROLL TAXES PAYABLE - EMPLOYEE SUI /SD		551.16		
20-280-5600-0858	PAYROLL TAXES PAYABLE - PA TAX		19.19		
20-280-5600-0870	PAYABLE - P.E.R.S.		45.06		
20-280-5600-0874	PAYABLE - P.E.R.S. - CONTRIBUTORY INS.		3.00		
20-280-5600-0882	DCRP-5.5% (EMPLOYEE CONTRIBUTION)		161.45		
20-280-5600-0883	DCRP-3%(EMPLOYER CONTRIBUTION)		118.88		
20-280-5600-0890	PAYABLE - DEFERRED COMPENSATION PLAN		3,186.86		
20-280-5600-0898	PAYABLE-GARNISHMENT		548.77		
20-280-5600-0900	PAYABLE - DIRECT DEPOSIT		175,274.12		
20-280-5600-0901	PAYROLL TAXES PAYABLE - EMPLOYER S.S		8,204.50		
20-280-5600-0902	PAYROLL TAXES PAYABL MED		3,250.71		
20-280-5600-0903	PAYROLL TAXES PAYABLE - EMPLOYER SUI		778.05		
TOTALS (FOR RANGE):			240,330.93		240,330.93
			=====		=====

**List of Bills - (3310101004000) CASH - MILLINGTON - CAPITAL
CAPITAL FUND**

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
5532	6830 - MARAZITI FALCON, LLP	PO 105533 PROFESSIONAL SERVICES CONTRACT - PURCHAS		3,831.05	
	33-215-2902-1003	BOND ORD 19-1797 - COAH LAND - SOFT COST	3,831.05		3,831.05
TOTAL					----- 3,831.05
Total to be paid from Fund 33 CAPITAL FUND			3,831.05		
			=====		
			3,831.05		

List of Bills - (4010101002000) CASH - MILLINGTON - SEWER UTILITY SEWER UTILITY FUND

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
9234	5305 - CUSTOM ENVIRONMENTAL TECH. INC 40-C00-0101-0228 SEWER - POLYMER	PO 105857 Shipped 4/28/20	843.30	843.30	843.30
9235	6841 - HUDSON MACHINERY LLC 40-C00-0101-0207 SEWER - EQUIP. PARTS & SUPPLY	PO 105906 Case of Gloves 5/7/20	99.50	99.50	99.50
9236	87 - JCP&L 40-C00-0101-0227 SEWER - ELECTRICITY	PO 105939 JCP&L 3/20-4/20/20*	9,892.77	9,892.77	9,892.77
9237	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229 SEWER - WATER BILLS	PO 105943 NJ AMERICAN WATER - 4/3/20-5/4/20*	48.00	48.00	48.00
9238	4835 - ONE CALL CONCEPTS 40-C00-0101-0204 SEWER - MISCELLANEOUS	PO 105931 APRIL 2020 Service	118.32	118.32	118.32
9239	4335 - PASSAIC VALLEY SEWERAGE COMMISSION 40-C00-0101-0226 SEWER - SLUDGE REMOVAL	PO 105934 April 2020 Sludge Disposal	1,243.20	1,243.20	1,243.20
9240	183 - TOWNSHIP OF PARSIPPANY-TROY HILLS 40-C00-0101-0226 SEWER - SLUDGE REMOVAL	PO 105904 April Disposal	2,205.00	2,205.00	2,205.00
9241	1518 - USA BLUE BOOK 40-C00-0101-0207 SEWER - EQUIP. PARTS & SUPPLY	PO 105856 shipped 2/28/20	144.40	144.40	
	40-C00-0101-0207 SEWER - EQUIP. PARTS & SUPPLY	PO 105905 Chart Pens	82.69	82.69	227.09
TOTAL					14,677.18
Total to be paid from Fund 40 SEWER UTILITY FUND		14,677.18			
		=====			
		14,677.18			

Checks Previously Disbursed

40313	PAYROLL ACCOUNT	PAYROLL - SEWER 5/15/20	19,762.51	5/15/2020

				19,762.51

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 40 SEWER UTILITY FUND	19,762.51	14,677.18	34,439.69

BILLS LIST TOTALS	19,762.51	14,677.18	34,439.69
			=====

**List of Bills - (5510101002000) CASH - MILLINGTON - SEWER CAPITAL
SEWER CAPITAL**

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
32	6815 - NATIONAL WATER MAIN CLEANING COMPANY	PO 105342 Dayton Crescent 8" Sewer Lining and Manh		15,497.00	
	55-215-0253-1000	ORD 20-1830 - DAYTON CRES. SEWER REPAIRS	15,497.00		15,497.00
TOTAL					----- 15,497.00
Total to be paid from Fund 55 SEWER CAPITAL		15,497.00			
		=====			
		15,497.00			

**List of Bills - (7010101002000) CASH - MILLINGTON - COAH
COAH TRUST**

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
2091	5366 - CGP&H, LLC	PO 105895 ADMINISTRATIVE AGENT&PLANNING SERVICES-A		1,097.90	
	70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	1,097.90		1,097.90
TOTAL					----- 1,097.90
Total to be paid from Fund 70 COAH TRUST		1,097.90			
		=====			
		1,097.90			

List of Bills - (8510101002000) CASH - MILLINGTON - RECREATION TRUST RECREATION TRUST

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
139	6861 - ANDREW HUMMEL	PO 105886 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		200.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	160.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	40.00		200.00
140	6863 - BETH OLECHNOWICZ	PO 105890 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		100.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	80.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	20.00		100.00
141	6862 - BOB WEIBLE	PO 105887 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		200.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	160.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	40.00		200.00
142	6655 - JENNIFER L. LIMING	PO 105889 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		100.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	80.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	20.00		100.00
143	6211 - JENNIFER WINTERS	PO 105888 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		200.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	160.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	40.00		200.00
144	6705 - JESS COLLINS	PO 105884 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		100.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	80.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	20.00		100.00
145	6865 - JOHN VIGNOE	PO 105892 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		100.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	80.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	20.00		100.00
146	6864 - JUSTIN SILBERBERG	PO 105891 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		100.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	80.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	20.00		100.00
147	6860 - KATHLEEN DUGAN	PO 105885 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		100.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	80.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	20.00		100.00
148	6859 - LAURA DILORENZO	PO 105883 REFUND - "LETS PLAY" AFTER SCHOOL ENRICH		100.00	
	85-286-5685-3016	RECREATION TRUST - LET'S PLAY	80.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	20.00		100.00
TOTAL					1,300.00
Total to be paid from Fund 85 RECREATION TRUST		1,300.00			
		=====			
		1,300.00			

Checks Previously Disbursed

85136	GATEWAY	CREDIT CARD FEES - MAY 2020	20.00	5/04/2020
85135	CAPTUREPOINT	CREDIT CARD FEES - MAY 2020	9.62	5/04/2020

**List of Bills - (8510101002000) CASH - MILLINGTON - RECREATION TRUST
RECREATION TRUST**

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/20/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
					29.62

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 85 RECREATION TRUST	29.62	1,300.00	1,329.62
BILLS LIST TOTALS	29.62	1,300.00	1,329.62

List of Bills - (1010101006000) CASH - MILLINGTON - CURRENT FUND

CURRENT FUND

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/21/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
50127	6311 - ACTION DATA SERVICES 10-C00-0110-0205	PO 105881 1ST QUARTER PENSION FILING 2020* FINANCE DEPT. - GENERAL EXPENSE	886.20	886.20	886.20
50128	6311 - ACTION DATA SERVICES 10-C00-0110-0205	PO 105907 PAYROLL INVOICE PERIOD END DATE 4/25/20 FINANCE DEPT. - GENERAL EXPENSE	321.66	321.66	321.66
50129	179 - AIRGAS USA, LLC 10-C00-0220-0205	PO 105090 CYLINDER RENTALS 2020 STREETS & ROADS - GEN. EXPENSE	45.20	45.20	45.20
50130	1806 - ALLIED OIL LLC (CORP) 10-C00-0315-0220	PO 105880 GASOLINE - MAY 2020 (ESTIMATE) GASOLINE - PREMIUM GAS	1,972.41	1,972.41	1,972.41
50131	5263 - ALPHA DOG SOLUTIONS, INC 10-C00-0112-0207	PO 104965 BOROUGH WEBSITE - JANUARY - JUNE 2020 TECH.INF.SYSTEM - BOROUGH WEBSITE	1,420.00	1,420.00	1,420.00
50132	6063 - AMERICAN WEAR, INC 10-C00-0220-0206	PO 105933 UNIFORM CLEANING FOR ROAD DEPT. APRIL 20 STREETS & ROADS - UNIFORMS	454.14	454.14	454.14
50133	761 - BERNARDSVILLE AUTO REPAIR, INC 10-A00-0220-0205	PO 104135 VEHICLE INSPECTION (2019) STREETS & ROADS - GEN. EXPENSE	75.00	75.00	75.00
50134	6730 - CLEARY GIACOBBE ALFIERI JACOBS LLC 10-C00-0135-0204	PO 105361 SPECIAL REDEVELOPMENT COUNSEL - NOT TO E LEGAL SERVICES - MISCELLANEOUS	1,072.50	1,072.50	1,072.50
50135	4239 - COMCAST 10-C00-0305-0215	PO 105908 HD TV CONNECTION - POLICE DEPT -ACCT# 84 TELEPHONE - PHONE BILLS	10.36	10.36	10.36
50136	4239 - COMCAST 10-C00-0305-0215	PO 105952 HIGH SPEED INTERNET - ACCT 8499052890037 TELEPHONE - PHONE BILLS	108.35	108.35	108.35
50137	6502 - DECOTIIS LAW 10-C00-0135-0225	PO 105347 LEGAL SERVICES RE: OLD QUARRY FACILITY LEGAL SERVICES - LITIGATION	1,202.50	1,202.50	1,202.50
50138	3070 - DUBLIN MAINTENANCE CONTRACTORS, INC 10-C00-0145-0231	PO 105007 2020 Cleaning Library Lower Level Common BUILD. & GROUNDS - LIBRARY TENANTS EXP.	500.00	500.00	500.00
50139	8 - FEDERAL EXPRESS CORP. 10-C00-0102-0205	PO 105930 SHIPMENT FROM CLERK TO LOVEMPOLOS MUNICIPAL CLERK-GEN. EXPENSE	90.96	90.96	90.96
50140	1307 - FERRIERO ENGINEERING, INC 10-C00-0150-0227	PO 105961 PB Engineer contract & application servi PLANNING BOARD - DOWNTOWN REVITALIZATION	490.00	490.00	490.00
50141	4560 - FOSBRE'S PLUMBING & HEATING 10-C00-0145-0216	PO 105896 Dewinterize Belcher - Turn on Water for BUILD. & GROUNDS - BUILD. MNT.	275.00	275.00	275.00
50142	5591 - GARDEN STATE GUTTER CLEANING 10-C00-0145-0263	PO 105876 Gutter Cleaning - 271 Mine Brook Road BUILD. & GROUNDS - O/S - 271 MINE BROOK	350.00	350.00	350.00
50143	2933 - GLENN MILLER ELECTRICAL CONTRACTING 10-C00-0145-0261	PO 105915 Install Photo Cell on Security Flood Lig BUILD. & GROUNDS - O/S - 251 CLAREMONT	408.95	408.95	408.95

List of Bills - (1010101006000) CASH - MILLINGTON - CURRENT FUND

CURRENT FUND

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/21/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
50144	5718 - GOOGLE INC	PO 105882 GOOGLE APPS - E-MAIL SERVICE - MAY 2020*		534.00	
	10-C00-0100-0210	ADMIN. & EXEC. - COMPUTER EXP.	427.20		
	10-C00-0195-0232	POLICE - IT EXPENSES	106.80		534.00
50145	3864 - GTM INC	PO 100580 OPEN PURCHASE ORDER		263.00	
	10-204-5500-0	ACCOUNTS PAYABLE	263.00		263.00
50146	3864 - GTM INC	PO 104198 Info-Cop license for new MDT		1,200.00	
	10-A00-0195-0225	(2019) POLICE-COMPUTER MAINT/SOFTWARE	1,200.00		1,200.00
50147	124 - JAEGER LUMBER	PO 102914 MATERIALS		23.33	
	10-A00-0220-0205	(2019) STREETS & ROADS - GEN. EXPENSE	23.33		23.33
50148	87 - JCP&L	PO 105938 JCP&L 2/22/20-3/19/20 MASTER ACCOUNT 200		474.61	
	10-C00-0225-0202	STREET LIGHTING	474.61		474.61
50149	1322 - JESCO, INC.	PO 103254 PARTS & REPAIRS		70.30	
	10-A00-0246-0207	(2019) VEHICLE MAINT.-STREETS & ROADS	70.30		70.30
50150	6378 - JOHNNY ON THE SPOT	PO 105029 2020 Annual Rental Handicap Portable Res		96.45	
	10-C00-0145-0249	BUILD. & GROUNDS - PORTABLE TOILETS	96.45		
		PO 105030 2020 Annual Rental Handicap Portable Res		96.45	
	10-C00-0145-0249	BUILD. & GROUNDS - PORTABLE TOILETS	96.45		
		PO 105031 2020 Annual Rental Handicap Portable Res		96.45	
	10-C00-0145-0249	BUILD. & GROUNDS - PORTABLE TOILETS	96.45		
		PO 105064 2020 Annual ADA and Standard Portable To		106.40	
	10-C00-0145-0249	BUILD. & GROUNDS - PORTABLE TOILETS	106.40		395.75
50151	4407 - LEXISNEXIS RISK SOLUTIONS	PO 105179 OPEN MONTHY ACCURINT SERVICE 11/19 - 12/		150.00	
	10-C00-0195-0230	POLICE - MAINTENANCE CONTRACTS	150.00		150.00
50152	6388 - LTI, INC	PO 105561 2020 Borough Grass Cutting and Lawn Main		1,715.00	
	10-C00-0145-0230	BUILD. & GROUNDS - LIB SP/FALL CLNUP	425.00		
	10-C00-0145-0215	BUILD. & GROUNDS - GROUND MNT.	1,290.00		1,715.00
50153	6799 - MARCO TECHNOLOGIES	PO 105911 2020 SERVICE CONTRACT #006433-03 - COPY		281.36	
	10-C00-0112-0206	TECH.INF. SYSTEM - MAINTENANCE CONTRACTS	281.36		281.36
50154	6728 - NAPA OF CHESTER, INC	PO 104764 PARTS & SUPPLIES		26.05	
	10-A00-0246-0207	(2019) VEHICLE MAINT.-STREETS & ROADS	26.05		
		PO 105901 PARTS		407.36	
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	407.36		433.41
50155	57 - NJ AMERICAN WATER CO.	PO 105942 NJ American Water 3/31-4/29/20*		7,141.43	
	10-C00-0145-0219	BUILD. & GROUNDS - WATER BILLS	7,141.43		7,141.43
50156	6 - NJ DEPT.COMMUNITY AFFAIRS	PO 105879 2020 Elevator Inspection Fee - Registrat		182.00	
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	182.00		182.00
50157	5320 - OCA BENEFIT SERVICES	PO 105932 OCA MONTHLY FEE APRIL 2020*		50.00	
	10-C00-0100-0205	ADMIN. & EXEC. - GEN. EXPENSES	50.00		50.00

List of Bills - (1010101006000) CASH - MILLINGTON - CURRENT FUND CURRENT FUND

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/21/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
50158	4286 - PERSONAL PROTECTION CONSULTANTS, INC 10-C00-0195-0203	PO 105875 ANNUAL AUTHORIZATION AND FEE FOR PPBT AN POLICE - EDUCATION & TRAINING EXPENSES	94.00	94.00	94.00
50159	31 - RECORDER PUBLISHING CO 10-C00-0102-0205	PO 105893 LEGAL NOTICE 4/30/20 MUNICIPAL CLERK-GEN. EXPENSE	47.94	47.94	
	10-C00-0102-0205	PO 105894 LEGAL NOTICE 4/16/20 MUNICIPAL CLERK-GEN. EXPENSE	31.62	31.62	79.56
50160	4360 - RESEARCH & DESIGN LANDSCAPE LLC 10-C00-0145-0233	PO 105716 Reset Pavers on Library Patio BUILD. & GROUNDS - LIBRARY PROPERTY MNT.	1,945.00	1,945.00	1,945.00
50161	180 - SAFETY-KLEEN SYSTEMS INC 10-C00-0220-0205	PO 105902 PARTS CLEANER SERVICE 2020 STREETS & ROADS - GEN. EXPENSE	323.52	323.52	323.52
50162	6748 - SANCHEZ ENGRAVING LLC 10-A00-0165-0204	PO 104469 BRONZE PLAQUE 5X8 IN HONOR OF LOU MATLAC (2019) ENVIRON. COMM. - MISCELLANEOUS	315.00	375.00	
	10-C00-0165-0204	ENVIRON. COMM. - MISCELLANEOUS	60.00		375.00
50163	3642 - SISCO 10-C00-0220-0205	PO 105462 ANNUAL OSHA INSPECTION STREETS & ROADS - GEN. EXPENSE	466.70	466.70	466.70
50164	5463 - SOMERSET COUNTY TRANSPORTATION 10-C00-0280-0207	PO 105937 SENIOR VAN -JAN-MARCH 2020* SENIOR CITIZEN VAN - VEHICLE	1,188.77	1,188.77	1,188.77
50165	5304 - SUBURBAN PROPANE 10-C00-0145-0261	PO 105903 Propane Fill - 251 Claremont Road BUILD. & GROUNDS - O/S - 251 CLAREMONT	1,291.34	1,291.34	1,291.34
50166	6303 - SYNCB/AMAZON 10-C00-0100-0201	PO 105717 INK ADMIN. & EXEC. - OFFICE SUPPLY	40.84	40.84	40.84
50167	6525 - TOPOLOGY NJ LLC 10-C00-0100-0221	PO 105897 PREPARE REDEVELOPMENT PLAN - 65 MORRISTO ADMIN. & EXEC. - DOWNTOWN REVITALIZATION	3,500.00	3,500.00	3,500.00
50168	6195 - U.S. POSTAL SERVICE 10-C00-0100-0209	PO 105900 POSTAGE - SUITE 103 ADMIN. & EXEC. - POSTAGE	200.00	200.00	200.00
50169	61 - VERIZON 10-C00-0305-0215	PO 105787 TELEPHONE BILLS FEB 20- MAR 19, 2020* TELEPHONE - PHONE BILLS	170.15	170.15	170.15
50170	61 - VERIZON 10-C00-0305-0215	PO 105929 TELEPHONE BILL 908-221-9611 - 5/7-6/6/20 TELEPHONE - PHONE BILLS	511.88	511.88	511.88
50171	61 - VERIZON 10-C00-0305-0215	PO 105948 TELEPHONE BILLS FEB 20- MAR 19, 2020* TELEPHONE - PHONE BILLS	170.35	170.35	170.35
50172	3488 - VERIZON 10-C00-0305-0215	PO 105949 FIOS - ACCT# 354-642-517-0001-63 -5/10-6 TELEPHONE - PHONE BILLS	129.99	129.99	129.99
50173	5173 - VERIZON BUSINESS SERVICES	PO 105909 LONG DISTANCE MAY 2020 ACC #Y2687028*		54.35	

List of Bills - (1010101006000) CASH - MILLINGTON - CURRENT FUND **CURRENT FUND**

Meeting Date: 05/26/2020 For bills from 05/12/2020 to 05/21/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
10-C00-0305-0215	TELEPHONE - PHONE BILLS		54.35		54.35
50174	1632 - VERIZON WIRELESS (NEWARK)	PO 105963 WIRELESS PHONES4/14/20-5/9/20*		1,892.06	
10-C00-0305-0225	TELEPHONE - MOBILE PHONES		1,892.06		
		PO 105964 WIRELESS PHONES 5/10/20-6/9/20*		2,166.83	
10-C00-0305-0225	TELEPHONE - MOBILE PHONES		2,166.83		4,058.89
50175	1264 - WELDON ASPHALT CO.	PO 105951 BITUMINOUS CONCRETE & STONE - APRIL 2020		2,529.03	
10-C00-0220-0218	STREETS & ROADS - ROAD REPAIR		2,529.03		2,529.03
50176	4682 - WINDSTREAM	PO 105912 APRIL 2020 PHONE CHARGES*		887.93	
10-C00-0305-0215	TELEPHONE - PHONE BILLS		887.93		887.93
TOTAL					40,614.72
Total to be paid from Fund 10 CURRENT FUND		40,614.72			
		=====			
		40,614.72			

Checks Previously Disbursed

10644	PAYROLL ACCOUNT	PO# 105935 5/15/20 PAYROLL*	188,578.69	5/15/2020
10643	SOMERSET COUNTY, TREASURER	2ND QUARTER COUNTY OPEN SPACE TAXE	169,178.25	5/15/2020
10642	SOMERSET COUNTY, TREASURER	2ND QUARTER COUNTY TAXES	1,812,706.47	5/15/2020
10641	PAYROLL ACCOUNT	PO# 105898 5/1/20 PAYROLL*	190,453.25	5/01/2020
10640	SOMERSET HILLS BOARD OF ED.	MAY SCHOOL TAX	2,216,409.34	5/11/2020

			4,577,326.00	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 10 CURRENT FUND	4,577,326.00	40,614.72	4,617,940.72
BILLS LIST TOTALS	4,577,326.00	40,614.72	4,617,940.72
			=====

RESOLUTION #20-145
ACCEPTING MONTHLY DEPARTMENT REPORTS

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville to accept monthly reports from certain departments as follows:

Department	Month
Animal Control	April
Bureau of Fire Prevention	*
Capital/Engineering Project Management	*
Construction	April
Court	*
Investment	*
Facilities/Public Works	*
Library	*
Police	April
Property Maintenance/Landlord Registration	*
Zoning	*
Recreation	*
Revenue Report	*
Sewer Operators Report	*
Tax Collector	April

*No report received

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on May 26, 2020.

**BOROUGH OF BERNARDSVILLE
RESOLUTION 20-146**

**RESOLUTION CANCELLING \$100,000 OF RETIREMENT TRUST FUND
TO TRUST FUND BALANCE**

WHEREAS, the Council wishes to formally cancel \$100,000 in the Retirement Trust Fund; and

WHEREAS, the remaining funds in the Retirement Trust Fund shall be unaffected by this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Bernardsville, in the County of Somerset, State of New Jersey that \$100,000 in the Retirement Trust Fund is hereby cancelled to the Trust Fund Balance.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held May 26, 2020.

Anthony Suriano

BOROUGH OF BERNARDSVILLE

RESOLUTION #20-147

**EXPANSION OF EXISTING SHARED MUNICIPAL COURT
BY ADDING BERNARDS TOWNSHIP**

WHEREAS, the Township of Bedminster (“Bedminster”), the Borough of Peapack and Gladstone (“Peapack-Gladstone”), the Borough of Bernardsville (“Bernardsville”) and the Township of Bernards (“Bernards”) have reviewed their needs, resources and personnel and have found that they can assist each other at considerable savings to the taxpayers of each municipality by establishing and operating a shared municipal court; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1, et seq., any municipality of the State of New Jersey may contract with any other municipality for the shared provision within their several jurisdictions of any service that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, pursuant to N.J.S.A. 2B:12-1(c), two or more municipalities, by resolution, may agree jointly to provide for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court; and

WHEREAS, in a Shared Municipal Court, each Court retains its own identity; and

WHEREAS, the Shared Municipal Court shall be operated as four separate courts, pursuant to which Bedminster is the host municipality and provides the services described in this Agreement to Peapack and Gladstone, Bernardsville and Bernards; and

WHEREAS, the Shared Services Agreement, in the form attached hereto and made a part hereof, was negotiated and agreed to by Bedminster, Peapack-Gladstone, Bernardsville and Bernards which establishes a shared municipal court and provides for the sharing of court facilities and court staff including the municipal judge, court administrators, other court employees, prosecutors, public defenders and security personnel; and

WHEREAS, Bedminster, Peapack-Gladstone, Bernardsville and Bernards have negotiated a Shared Services Agreement, which is attached hereto and made a part hereof; and

WHEREAS, the Shared Services Agreement has been reviewed by the Borough Attorney, along with representatives of the Borough; and

WHEREAS, the Borough Committee of the Borough of Bernardsville finds it to be in the best interest of the Borough and its residents to enter into this Shared Services Agreement with Peapack-Gladstone, Bernardsville and Bernards for the establishment and operation of a shared municipal court.

COMMENCING JULY 1, 2020, NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, in the County of Somerset, and State of New Jersey, as follows:

1. There shall be established a shared municipal court servicing the Township of Bedminster, Borough of Peapack and Gladstone, Borough of Bernardsville and Township of Bernards subject to compliance with the terms and conditions of the approval of Honorable Yolanda Ciccone, A.J.S.C.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached Shared Services Agreement with the Borough of Peapack and Gladstone, the Township of Bedminster and the Township of Bernards, which Agreement sets forth the terms and conditions for the operation of the shared municipal court, including the sharing of court facilities and court staff including the municipal judge, court administrators, other court employees, prosecutors, public defenders and security personnel.
3. The Borough Clerk, Borough Administrator/CFO, Borough Attorney and other appropriate Borough officials are further authorized to take any and all action required to comply with this Agreement.
4. This Resolution shall take effect immediately upon adoption, and the adoption of the appropriate mechanism approving the Shared Services Agreement adopted by the Borough.

ATTEST:

BERNARDSVILLE BOROUGH
COUNCIL:

By: _____
Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

CERTIFICATION

I, Anthony Suriano, Borough Clerk of Bernardsville, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a Regular Meeting held on May 11, 2020.

Anthony Suriano, Borough Clerk

RESOLUTION #20-148

**AUTHORIZING CHANGE ORDER #5 (FINAL) TO THE CONTRACT
FOR SLOPE SECTION IMPROVEMENTS**

WHEREAS, the Public Works Manager recommends Change Order #5 (Final) to the contract for Slope Section Improvements, as discussed in a memo dated May 18, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council to approve Change Order #5 to the contract for Slope Section Improvements in the aggregate amount of (-) \$42,616.12.

I, Ralph A. Maresca, Jr., C.M.F.O., hereby certify, in accordance with requirements of N.J.A.C. 5:30-14.5, that funds for the project discussed herein are available in Capital Ordinance No. 15-1691, Acct No. 33-215-1400-1004.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on May 26, 2020.

RESOLUTION #20-149

**AUTHORIZING THE MAYOR TO SIGN TWO GRANT APPLICATIONS WITH
NJDOT FOR CHESTNUT AVENUE (MILL AND PAVE) AND CRESTVIEW DRIVE
(DRAINAGE, CURBING AND ROADWAY RECONSTRUCTION)**

WHEREAS, Resolution #20-138 authorized the filing of two grant applications with NJDOT for Chestnut Avenue and Crestview Drive.

NOW, THEREFORE, BE IT RESOLVED, to authorize the Mayor to sign said grant applications.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on May 26, 2020.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #20-150**

**ACKNOWLEDGING POSTPONEMENT OF THE
WALKING PATH AT THE BOROUGH POND**

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, that pursuant to a recommendation of the Public Works Committee, to postpone the creation of a walking path at the Borough Hall Pond until such time as the State Mandated Dam Remediation is completed, on or before September 2022.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held May 26, 2020.

Anthony Suriano

RESOLUTION #20-151

AUTHORIZING PERMISSION TO CRJ CONTRACTING TO USE THE BASKETBALL COURT PARKING LOT OFF SENEY DRIVE FOR A STAGING AREA FOR THE NJ AMERICAN WATER COMPANY MAIN REPLACEMENT PROJECT

WHEREAS, the Public Works Manager has received a request from CRJ Contracting to use the Basketball Court Parking Lot off Seney Drive for a staging area for the NJ American Water Company main replacement project; and

WHEREAS, in a memo dated May 20, 2020, the Public Works Manager noted the Public Works Committee reviewed this request on May 19, 2020 and suggests the following conditions:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council to authorize permission to use the Basketball Court Parking Lot off Seney Drive pursuant to the following conditions:

- CRJ is permitted to use the lot as a staging area for a period not to exceed 1.5 months. The contractor may reapply to the Borough if additional time is needed.
- The Borough may request the contractor to vacate the premises upon two (2) weeks written notice.
- CRJ Contracting must submit a hold harmless agreement and certificate of insurance naming the Borough of Bernardsville as additional insured (with limits as required by the JIF)
- The area in use is to be restored to existing condition (or better than existing condition) upon completion of the work. The contractor is encouraged to use the back portion of the lot away from the driveway entrance.

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on May 26, 2020.

RESOLUTION# 20-152
APPROVING EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, it has been determined that certain appropriations excluded from the temporary budget calculations will be needed prior to the adoption of the final budget,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, County of Somerset, that the following emergency temporary appropriations be approved:

CURRENT FUND:

<u>Account Number</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
10-190-0700-0000	AMOUNT TO BE RAISED BY TAXATION	\$ 224,500.00	
10-C00-0100-0100	ADMIN & EXEC S&W		\$ 6,500.00
10-C00-0102-0100	CLERK S&W		\$ 5,000.00
10-C00-0110-0200	FINANCE OE		\$ 15,000.00
10-C00-0175-0200	GROUP INSURANCE		\$ 90,000.00
10-C00-0190-0100	COMMUNICATIONS S&W		\$ 20,000.00
10-C00-0220-0100	STREETS & ROADS S&W		\$ 60,000.00
10-C00-0275-0250	CELEBRATION OF PUBLIC EVENTS		\$ 1,000.00
10-C00-0285-0100	CONSTRUCTION S&W		\$ 23,000.00
10-C00-0290-0100	FIRE PREVENTION S&W		\$ 4,000.00
		<u>\$ -</u>	<u>\$ -</u>
TOTALS		\$ 224,500.00	\$ 224,500.00

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville in the County of Somerset in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough Council of the Borough of Bernardsville in the County of Somerset in the State of New Jersey on May 26, 2020

Anthony Suriano
Borough Clerk

BOROUGH OF BERNARDSVILLE

RESOLUTION #20-153

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR
THE ACCEPTANCE OF BEQUESTS AND GIFTS AS REQUIRED BY N.J.S.A. 40A:4-39
FOR USE BY THE ENVIRONMENTAL COMMISSION**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Donation Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose for which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bernardsville, County of Somerset, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Donations for Environmental Commission Trust Fund per NJSA 40A:5-29.

2. The Clerk of the Borough of Bernardsville, County of Somerset is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on May 26, 2020.

RESOLUTION #20-154

SETTING POOL MEMBERSHIP FEES

WHEREAS, the Acting Recreation Director and Recreation Committee recommends the attached schedule of fees for 2020 Pool Membership, copy attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council to authorize the attached Schedule of Fees for Pool Membership in 2020.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on May 26, 2020.

To: Anthony Suriano

From: Neil Mastrobuono

Date: May 19th, 2020

Re: Recreation Fees

The following program(s) and fee(s) need to be revised to the Recreation Setting of Fees.

Program(s)	Resident Fee	Non- Resident Fee
Pool Membership Fees	prorate pool membership fees based on the percentage of pool days available for 2020	

**BOROUGH OF BERNARDSVILLE
RESOLUTION #20-**

**RESOLUTION HOLDING ENFORCEMENT OF CERTAIN BOROUGH ORDINANCES
IN ABEYANCE IN ORDER TO ASSIST LOCAL BUSINESSES AS THEY REOPEN
FOLLOWING THE LIFTING OF COVID-19 EXECUTIVE ORDERS**

STATEMENT OF PURPOSE: By adopting this resolution and relaxing enforcement of certain land use regulations for the short term, the governing body hopes to mitigate the devastating impact that COVID-19 and the restrictions adopted in response thereto have had on local businesses

WHEREAS, in response to the COVID-19 pandemic, Governor Phil Murphy issued Executive Order 103 on March 9, 2020 declaring and proclaiming a public health emergency and state of emergency in the State of New Jersey; and

WHEREAS, Governor Murphy thereafter issued Executive Order 107 on March 21, 2020 which provided in relevant part:

“The brick and mortar premises of all non-essential retail businesses must close to the public as long as this Order remains in effect”; and

WHEREAS, Executive Order 107 allowed essential retail businesses to remain open but with very strict restrictions; and

WHEREAS, Executive Order 107 further provided that:

“All restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, are permitted to operate their normal business hours, but are limited to offering only food delivery and/or take-out services in accordance with their existing liquor licenses”; and

WHEREAS, Governor Murphy issued Executive Order 142 on May 13, 2020 relaxing the restrictions on non-essential retail businesses to allow curbside service; and

WHEREAS, Governor Murphy issued Executive Order 108 on March 21, 2020 preempting all local regulations and orders issued in response to the COVID-19 pandemic; and

WHEREAS, on May 18, 2020, Governor Murphy unveiled a multi-stage plan for reopening New Jersey's businesses and activities closed for the coronavirus outbreak, but no timeline for future stages was included and it is anticipated that Stage 3 will include limits on the number of patrons who can enter the buildings in which the businesses are conducted; and

WHEREAS, local businesses were already facing challenges before the COVID-19 pandemic as a result of competition from online retailers and other factors; and

WHEREAS, the Mayor and Council want to help local businesses to survive and prosper by holding enforcement of certain Borough ordinances in abeyance to mitigate COVID-19's devastating effects on the economy of COVID-19; and

WHEREAS, one such ordinance is set forth in subsection 12-23.7 of the Borough Land Use Ordinance entitled "Outdoor Storage and Display of Merchandise for Sale" which provides in part that:

"The outside storage and display of merchandise for sale ("outside" meaning any area not enclosed by walls on all sides and covered by a roof) shall be prohibited except as set forth below:

a. Outdoor Storage, Display and Sales in the B-1, C-1 and HD Districts:

1. Seasonal displays and sales of plants (including pumpkins), flowers, trees and shrubs shall be permitted from March 1 through December 31 of each year;
2. Storage of construction items, lumber and bagged materials (cement, peat moss, mulch, lime, etc.) can be located only in a rear or side yard, shall be properly screened from the roadway and neighboring properties, and shall be stacked no higher than six feet or the height of a single pallet or other load as delivered, whichever is the higher;
3. Sidewalk sales shall be governed by Subsection 12-12.1b; and
4. Used car sales shall be governed by Subsection 12-12.2."; and

WHEREAS, subsection 12-23.7 goes on to set forth the following general restrictions on outdoor sales:

“b. General Restrictions.

1. Such merchandise cannot occupy any State, County or municipal right-of-way or designated fire lanes;
2. Such merchandise cannot occupy a public or private sidewalk unless the sidewalk is wide enough to include, along with the merchandise, an unobstructed walk width of at least four feet;
3. Such merchandise cannot occupy any vehicular driveway or accessway providing ingress and egress to the premises;
4. Such merchandise cannot occupy parking areas or portions thereof, including parking aisles and landscaped buffer areas; and
5. Additional lighting intended to accommodate the outside storage, display and sale of such merchandise must comply with municipal lighting standards”; and

WHEREAS, section 12-21.1 of the Borough Land Use Ordinance entitled “Primary

Intended Use in the HD Highway Development District” provides that:

“This [HD Highway Development] zone district is limited to business uses of a retail sales and service type such as stores, shops, business and professional offices, restaurants, banks, theaters, recreational instruction studios, and accessory uses customarily incident to the above uses. Sidewalk sales are permitted in the Highway Development District. Additionally, hotels, and outdoor dining are permitted as conditional uses pursuant to § 12-25”; and

WHEREAS, the standards for outdoor dining, as permitted as some conditional uses are set forth in section 12-25 as follows:

A conditional use is a use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in the Borough Land Development Regulations. The Borough Planning Board, or the Board of Adjustment in cases where it has the power under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., to grant a conditional use, may grant conditional uses according to the specifications and standards set forth in this section and in accordance with the provisions of the Municipal Land Use Law at N.J.S.A. 40:55D-67.

k. Outdoor Dining. No outdoor table, shelf or other facility to hold food or drink while the same are being consumed shall be permitted in any nonresidential zone except in accordance with this subsection.

1. The dining area must be on private property. If any portion of the dining area is on a sidewalk over which the public has a right-of-way, an unobstructed passage not less than four feet wide must be left between the dining area and any street, structure, hydrant, lamppost, highway signpost or other obstruction. No portion of the dining area may be closer than four feet to any fire lane, parking lot or loading dock. No portion of any required parking space or loading dock shall be converted to dining area.
2. The dining area shall be surrounded by a defining barrier not less than two feet high such as landscaping, a fence or ropes and posts. If any portion of the dining area is within 10 feet of any area used by vehicles and less than two feet above such area, the barrier shall be designed to protect the dining area unless the same is protected by trees or other means. Any immovable portion of the barrier, or any permanent roof, arbor, platform or similar structure shall be considered a site improvement for the purpose of Subsection 9-9.2 requiring site plans proposing site improvements to be drawn by a licensed person.
3. The placement of tables and chairs in the dining area and the provision of passages through the barrier shall not obstruct entry to or exit from any building. Folding chairs are prohibited. No advertising or product names are permitted on any tablecloths, chairs or umbrellas in the dining area.
4. No use of the dining area after 10:00 p.m. or before 6:00 a.m. is permitted. Convenient containers for trash and recyclables shall be provided. The operator of the dining area shall keep it clean, sanitary and free from litter.
5. Except at dining areas operated by restaurants licensed by the Board of Health, all sales of food or drink shall take place entirely within a building, no agent or employee of the operator shall carry any food or drink to the dining area and no outdoor menu board is permitted; and

WHEREAS, sidewalk sales are defined in section 1-3.2 of the Borough Land Use

Ordinance as:

“Sales permitted in the B-1 Business District, C-1 Commercial District and Highway Development District on days designated by the Governing Body consisting of goods and merchandise sold in the ordinary course of business by business establishments on the sidewalk immediately in front of or adjacent to the establishments or within marked areas of a parking yard or lot contiguous and accessory to the business establishments adjacent thereto”; and

WHEREAS, sidewalk sales are also permitted in the Highway Development District

pursuant to subsection 12-21.1 of the Borough Land Use Ordinance; and

WHEREAS, subsection 12-12.1 of the Borough Code entitled “Primary Intended Use” in section 12-12 entitled “B-1 Business District” sets forth the following regulations governing sidewalk sales:

b. Sidewalk sales shall be permitted on not more than nine days during each calendar year, which days shall be authorized by the Borough Clerk subject to the following standards:

1. Goods and merchandise may be displayed only upon a sidewalk area immediately in front of the business establishment selling same and in such a manner as to permit the free flow of pedestrian traffic on the sidewalk.
2. Goods and merchandise shall be of the same type and quality as that ordinarily maintained and sold by the business establishment conducting the sale.
3. Goods and merchandise shall be displayed in such manner as to permit sales to pedestrians on sidewalk areas. Sales shall not be conducted or made to pedestrians walking or standing in streets, roads or other areas where motor vehicles ordinarily travel.
4. No advertising signs larger than 12 inches by 24 inches shall be utilized in sidewalk sales.
5. Business establishments adjacent to parking areas may set aside portions thereof by clearly marking some and restricting the areas to sidewalk sales. Booths or other displays shall be located in such a manner as to permit the free flow of traffic through the area.
6. Sidewalk sales shall be restricted between the hours of 9:00 a.m. and 6:00 p.m., prevailing time.
7. The use of public address systems, bells, music, auctioneers or other devices or activities not otherwise utilized by business establishments in the ordinary course of business shall not be permitted in conjunction with sidewalk sales.
8. The location of booths and other merchandise displays along sidewalks and in parking areas shall be subject to approval by an authorized member of the Police Department of the Borough of Bernardsville and the Fire Department of the Borough of Bernardsville. Any party failing to comply with a written directive from either of the agencies shall be deemed to be in violation of this chapter;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Bernardsville, in the County of Somerset, State of New Jersey, as follows:

1. While this Resolution is in effect, paragraphs (a)(1) of subsection 12-223.7 entitled “Outdoor Storage and Display of Merchandise for Sale” shall not be enforced so that seasonal

displays and sales of plants including pumpkins, flowers, trees and shrubs shall be permitted at any time during the calendar year.

2. Paragraph (b)(4) of subsection 12-23.7 shall not be enforced during the pendency of this Resolution. While this Resolution is in effect, and without reference to approved site plans, merchandise may occupy parking areas or portions thereof, including parking aisles and landscape buffer areas, with the permission of the Borough Zoning Officer in consultation with the Chief of Police. Merchandise may be displayed in parking areas or portions thereof, including parking aisles and landscape buffer areas, as long as such displays do not constitute a safety hazard to either pedestrians or vehicles and do not limit the access of commercial vehicles to the site.

3. With respect to outdoor dining, restaurants and other eating establishments that do not have an outdoor eating area on their site plan as approved by the Borough Planning Board or Zoning Board of Adjustment, may be permitted to have outdoor dining subject to the general restrictions set forth in paragraph (b) of subsection 12-23.7, except that parking spaces may be temporarily converted to dining spaces with the approval of the Chief of Police, folding chairs may be used, and sales of food and drink may take place outside.

4. During the pendency of this Resolution, sidewalk sales shall be permitted in the B-1 and HD Zones subject to the requirements set forth in subsection 12-12.1 of the Borough Land Use Ordinance except that:

- (a) Sidewalk sales shall be permitted in these zones on an unlimited number of days and not just on nine (9) days as permitted by section (b) of subsection 12-12.1.

(b) Such sidewalk sales shall be subject to the standards set forth in paragraph (b) of subsection 12-12.1.

5. The provisions of this resolution shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety and welfare.

6. Sale of alcoholic beverages in connection with outdoor dining permitted pursuant to this Resolution shall be limited by the establishment's liquor license and the applicable rules and regulations of the Division of Alcoholic Beverage Control as may be modified during this COVID-19 emergency.

7. This resolution does not repeal or amend any Borough land use ordinances or land development approvals and all land use ordinances and development approvals will be strictly enforced upon termination of this resolution.

8. All businesses must comply with all COVID-19 executive orders issued by Governor Murphy, and those executive orders will supersede anything in this resolution which is inconsistent with those orders.

9. All local businesses must comply with all applicable health statutes, ordinances and regulations, and must obtain any and all permits required by the Borough Health Department.

10. All local businesses must comply with all orders and directives issued by the Chief of Police.

11. Outdoor dining and merchandise sales may be permitted in fire lanes with the permission of the Fire Chief or Zoning Officer.

12 This Resolution shall take effect when the activities authorized herein are permitted by State statutes or regulations or Executive Orders of Governor Murphy and shall ~~remain in~~

~~place until it is terminated by resolution of expire on December 31, 2020, unless further action is~~
taken by the governing body.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body at a duly convened meeting held Tuesday, May 26, 2020.

Anthony Suriano, Clerk